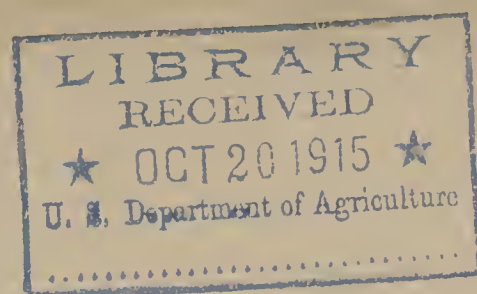


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UNITED STATES DEPARTMENT OF AGRICULTURE

FOREST SERVICE

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STATE FORESTRY LAWS

A parallel classification showing the comparative
progress of each State in forestry legislation

WYOMING

(Serial 1—Through Reg. Sess., 1915)

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PURPOSE OF COMPILATION

Information about the forestry laws of the various States, especially about those laws dealing with certain specific problems, is being demanded more and more; and requests for such information, coming from legislators, State administrative officers, forestry associations, forest schools, and other bodies and individuals, have led to the compilation, informally, of such State laws as bear more or less directly on the practice of forestry.

The purpose of the compilation, of which this serial is a part, is to make easy a comparative study of the laws of the different States and to further the development of practical forestry legislation. By the classification of the laws and parts of laws under the headings: "Administration," "Fires," "Public Forests," and "Taxation," the comparison is simplified, and the progress of each State, or lack of it, in these particulars is clearly shown.

The better to accomplish this educational aim, the great mass of timber and tree laws and those finer points of reference proper only to a legal or administrative manual have been omitted.

PART I.—ADMINISTRATION.

(This part comprises the provisions of law, if any, defining the general administrative duties of the regularly constituted State forestry officials; also certain miscellaneous forestry provisions. For specific provisions, if any, concerning administrative duties of these or other State officers in connection with forest fires, State and municipal forests and nurseries or other State lands, or forest taxation, see Parts II, III, and IV, respectively.)

PART II.—FIRES.

(This part comprises the general provisions of law, if any, concerning protection from forest fires. For localized provisions, if any, concerning protection of State-owned lands, see Part III.)

(1) PROTECTIVE SYSTEM.

(This subdivision comprises the provisions of law, if any, defining the personnel and the administrative duties of the State organization charged with the prevention, detection, control, and extinguishment of forest fires. For specific provisions, if any, concerning similar duties in connection with railroad fires, slash disposal,

and fallow and other fires, see subdivisions (2), (3), and (4), respectively.)

(2) RAILROAD FIRES.

(This subdivision comprises the provisions of law, if any, defining the responsibility of railroad and logging companies, the precautions to be taken by them, and their liability for damages occasioned in the operation and maintenance of their trains and rights of way; also provisions concerning the use of spark arresters and other safeguards on traction, thrashing, other portable and saw-mill engines, and boilers.)

SEC. 4203.

Fire-guards, burning by railroads.—It shall be the duty of every railroad corporation operating its line of road, or any part thereof, within this state, between the first day of September and the first day of November of each and every year, upon its right of way upon each side of its road bed, to burn as a fire-guard all grass and vegetation growing upon its said right of way, running parallel with the line of said road, and said right of way shall be burned in such good, workmanlike manner, and

to prevent said fire from spreading to lands adjacent to said right of way, as to effectually destroy the grass and vegetation thereon; Provided, That the right of way so burned shall not exceed a strip of land over two hundred feet in width upon each side of the said railroad; and, Provided, further, That such fire-guard need not be burned within the limits of any village or city, nor along that portion of the line of a railroad where the desert or mountainous character of the adjoining land would render such burning impracticable or unnecessary. [L. 1890-91, ch. 34, sec. 1; Rev. Stat., 1899, sec. 3210.]

SEC. 4204.

Fire-guards: Penalty for failing to burn—Fine to go to school fund.—Any railroad corporation failing to comply with the provisions of the preceding section shall be liable to pay a penalty of one hundred dollars for each and every mile, or fractional part thereof, of such strip of land as it neglects to burn upon either side of the line of its road in this state, in each and every year as aforesaid, the same to be collected in any proper action in any court of competent jurisdiction, in the name of the state of Wyoming, and when collected it shall be paid into the school fund of the county wherein the cause of action accrued; and, Provided, That the said action shall be brought within one year next after it occurs. [L. 1890-91, ch. 34, sec. 2; Rev. Stat., 1899, sec. 3211.]

SEC. 4205.

Fire-guards: Railroads liable for damages by fires, when fire-guards not burned—Action to recover damages.—Every railroad corporation operating its line of road, or any part thereof within this state, shall be liable for all damages by fire, that is set out, resulting or caused by operating any such line of road, or any part thereof, when such railroad company has failed to burn a fire-guard as provided in §4203, and any such damages may be recovered by the party damaged, by a proper action in any court of competent jurisdiction; Provided, That said action be brought by the party injured within one year next after said damage shall have been inflicted or caused. [L. 1890-91, ch. 34, sec. 3; Rev. Stat., 1887, sec. 1947; Rev. Stat., 1899, sec. 3212.]

(3) SLASH DISPOSAL.

(This subdivision comprises the provisions of law, if any, for slash disposal after lumbering and other cutting operations.)

(4) FALLOW AND OTHER FIRES.

(This subdivision comprises the provisions of law, if any, concerning the burning of fallow, brush, etc., by farmers, and the general setting of fires to woods by hunters, fishermen and others.)

SEC. 5817, COMP. STAT., 1910.

Burning woods and prairies—Penalty.—Whoever maliciously or wantonly sets fire to any woods, or to anything growing or being upon any prairie or grounds, not his

own property; or maliciously or wantonly permits any fire to pass from his own prairie or grounds, to the injury or destruction of any property not his own, shall be fined not more than one hundred dollars, to which may be added imprisonment in the county jail not exceeding thirty days. [Rev. Stat., Ind., sec. 1928; L. 1890, ch. 73, sec. 36; Rev. Stat., Wyo., 1899, sec. 4976.]

SEC. 5818.

Neglect to extinguish fires—Penalty.—Any person or persons who shall light a fire, for any purpose, in any woods or on any prairie in this state and who shall leave the vicinity of such fire without extinguishing the same shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine, not less than ten dollars and not exceeding one hundred dollars, or by imprisonment in the county jail not less than ten days and not exceeding thirty days, or by both such fine and imprisonment. [L. 1907, ch. 22.]

PART III.—PUBLIC FORESTS.

(This part comprises the provisions of law, if any, for the establishment and care of State and municipal forests and nurseries, and for the practice of forestry on these and on other lands owned by the State.)

(1) STATE FORESTS.

(For other provisions, if any, concerning State forests and nurseries, see Part I.)

(2) OTHER STATE LANDS.

(Laws which provide merely for the protection of State lands other than State forests from fire and from timber and other forms of trespass, and for the sale of timber and other forest products therefrom, are not included because their intent is not one of forestry.)

(3) MUNICIPAL FORESTS.

PART IV.—TAXATION.

(This part comprises the provisions of law, if any, covering the classification and taxation of forested lands and lands to be forested, the purpose of which is to encourage the practice of forestry by private owners; also such bounty and exemption laws as have a like purpose. For similar taxation provisions, if any, concerning State or municipal forests, or other State lands, see Part III.)

SEC. 1327.

Bounties for forest tree culture—Requirements.

It shall be lawful for the board of county commissioners in any county of this state to offer a bounty to any person in said county who shall hereafter plant one or more acres of land with forest trees and properly cultivate the same for five years in any sum not to exceed ten dollars for five years for each acre so planted and cultivated; *Provided*, That trees so planted shall not be at a greater distance than ten feet apart each way and shall be kept in a live, thrifty,

growing condition for at least five years after being planted before said bounty shall be due and payable; and Provided further, That the provisions of this chapter shall not apply to lands held as timber culture entries under any of the timber laws of the United States. [L. 1890, ch. 42, sec. 1; Rev. Stat., 1899, sec. 2645.]

SEC. 1328. ,

Method of offering bounties.—The board of county commissioners desiring to offer the bounty herein provided for, shall do so by resolution to be made of record and giving notice in some newspaper published in the county three weeks prior to the first day of April of each year, said resolution and notice to state the amount of bounty offered for each acre planted and cultivated. [L. 1890, ch. 42, sec. 4; Rev. Stat., 1899, sec. 2646.]

SEC. 1329.

Proof of compliance with bounty law.—Any person claiming the bounty under this chapter shall make proof before the county commissioners that he has complied with the provisions of §1327, and that the trees planted by him are in a healthy and growing condition. [L. 1890, ch. 42, sec. 2; Rev. Stat., 1899, sec. 2647.]

SEC. 1330.

Warrant for amount of bounty, issued when.—Upon satisfactory proof of the compliance with this chapter, the board of county commissioners may issue to the person entitled thereto a warrant upon the county treasurer as in other cases, for the amount due under the offer made by the board. [L. 1890, ch. 42, sec. 3; Rev. Stat., 1899, sec. 2648.]

